IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.6365 OF 2001.

Union of India through Divisional Railway Manager, Mumbai Dvn., Central Railway ... ... Petitioners.

V/s

Smt.Mandabai Balu Dhindale & Anr.... ... Respondents.

Mr.Suresh Kumar, Adv. For the petitioners.

CORAM: V.G. PALSHIKAR
AND
D.B. BHOSALE, JJ.
25.8.2005

PC:

By this petition the petitioner Union of India challenges the order passed by the Central Administrative Tribunal allowing the Original Application of the present respondent granting her family pension on account of death of her husband.

2. The husband of the respondent was an employee of the railway who was not traceable since 1985. After having waited sufficiently complaint was lodged with the police and police then reported that the husband was not traceable. Thereafter an application for pension was made. Denial was challenged in the Administrative Tribunal where the application was opposed basically on the ground of delay in making application. The fact of missing of railway employee was not disputed. Factual records are not available. In such circumstances when the Tribunal has granted pension to the family of missing employee we see no jurisdictional error committed by the Tribunal. Though the man was missing from 1985 pension is granted only from 1999. In the peculiar facts of the case, in our opinion, no interference is called for.

Petition dismissed.